

Meeting of 1997-1-28 Regular Meeting

MINUTES  
LAWTON CITY SPECIAL COUNCIL MEETING  
JANUARY 28, 1997 - 6:00 P.M.  
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

John T. Marley, Mayor   Also Present:  
Presiding   Gil Schumpert, City Manager  
Felix Cruz, City Attorney  
Brenda Smith, City Clerk

The meeting was called to order at 7:40 p.m. Notice of meeting and agenda were posted on the City Hall bulletin board as required by State law.

ROLL CALL

Present:   Jody Maples, Ward One  
              Richard Williams, Ward Two  
Joe Dutcher, Ward Three  
              Robert Shanklin, Ward Five  
              Charles P. Beller, Ward Six  
              Carol Green, Ward Seven  
              Randy Warren, Ward Eight  
              John T. Marley, Mayor

Absent:   John P. Purcell, Jr., Ward Four.

STATE OF THE CITY ADDRESS - MAYOR MARLEY

STATE OF THE CITY - 1997

My fellow citizens, it is my pleasure to report on the State of your City. This is my annual report covering major activities of last year, with a look at this year and the future.

As usual, exciting things are happening in the Lawton-Fort Sill community. As we begin a new year, we pause to reflect on accomplishments of the past, and ponder goals of the future. To meet the challenges of tomorrow, we must prepare today. I can assure you that your City is doing just that. We are not doing it alone however. We are working closely with individual citizens, neighborhood groups, local businesses, the Lawton Chamber of Commerce and Industry, our wonderful neighbor to the north, Fort Sill, and other cities and towns in the region. We fully realize that it takes a team effort to succeed. In the words of a popular song, United we stand, divided we fall... .

In March of 1995, the citizens of Lawton approved changes to the City Charter. As a result, the number of Council members was reduced from ten to eight. In March of this year, you will be voting for the Mayor and one Council Member to serve one year terms; two Council members to serve two year terms, and three Council members to serve three year terms. Different terms are required to make the transition from two year terms to three, ultimately providing for election of 1/3 of the governing body each year. Starting in 1998, the Mayor and all Council members will be elected for three year terms on a staggered basis. The three year term of office should enhance the effectiveness of the Mayor and Council members by providing more time to become familiar with issues and operations of the municipal government. Obviously, since seven positions are up for election this year, it is vital that you, the citizens, take an interest, participate in the process and vote. We all have an obligation and privilege to perform this most important civic duty. Do not allow the vocal minority to make decisions for you; let your voices be heard.

Tremendous progress was made on capital improvements in the City during 1996: Top priority projects continue to be sanitary landfill, sewer collection system, and wastewater treatment plant.

Lets look back at 1996:

Improvements were completed at the City landfill to upgrade the facility to the EPAs Sub-title D standards. Improvements, such as installation of liners, construction of leachate collection system, stormwater and leachate collection ponds, etc., cost taxpayers \$2.3 million. These improvements, coupled with the purchase of 430 acres of

adjoining property, will serve the City's solid waste disposal needs well into the twenty-first century.

The Sanitary Sewer Evaluation Study (SSES) neared completion by year's end. This \$3.1 million study of the city's sewer collection system will provide detailed information on improvements needed to the system. The City is currently under an Administrative Order from the U.S. Environmental Protection Agency (EPA) to improve the sewer collection system. The City's consulting engineer will report on findings of the study and provide the City Council with a cost estimate. We anticipate that the cost will be extremely high - in the millions of dollars. A major decision which must be made by the Council is how to finance the required improvements. One important unknown factor is the number of years which EPA will allow the City to complete the necessary repairs. Design of the Wastewater Treatment Plant expansion and improvements was completed during the year. This construction project is currently being advertised for bids. Bid opening is scheduled for February 11, 1997. Construction should start by spring. Upon completion, capacity of the plant will increase from 10 million gallons per day (mgd) to 18 mgd. This additional capacity will allow us to accommodate additional flow thereby making Lawton more competitive in the search for new industry and other economic development opportunities.

In addition to the top priority projects, many other important capital improvements were addressed during the year.

The \$2.2 million expansion of the Museum of the Great Plains is almost complete. This substantial improvement, funded by the McMahon Foundation, will enhance the museum's position as the finest museum in the region. Grand opening should be mid-summer and will showcase the Tingley Collection of priceless Indian artifacts.

In the Spring of 1996, the Grand View United Sports Complex was dedicated. This \$1.2 million project, funded by the 1990 CIP, greatly enhanced recreational opportunities for the community. The new facility will also significantly improve our chances to attract district, state, and national baseball and softball tournaments. Thanks go to Lawton voters and Lawton Public Schools for making this project a reality.

The Rogers Lane Phase IV project is considerably ahead of schedule and will be officially opened on 4 March 97. Phase IV encompasses Rogers Lane from West 52nd Street to West 82nd Street and south from Rogers Lane to U.S. 62. This project represents a major improvement to our transportation system and will greatly benefit our citizenry. Additional phases will follow in the future, eventually providing an east-west loop around the City. Engineering design has begun on Phase V which will improve NW 82nd Street from U.S. 62 south to Lee Blvd.

Many other capital improvement projects were either started or completed during 1996 to include improvements to railroad crossings through the Railroad Corridor Safety Program; Beautification of Cache Road as a joint project of local businesses and Oklahoma Department of Transportation, various street, drainage, water line, and sewer line improvements.

Lawton continues to compete in the economic development arena for new businesses, new industry, and additional jobs. To be successful in this competition, the community must work as a team to offer the best possible incentive package. This effort often requires expenditure of funds and commitment of resources as important investments in the future. Naturally, economic expansion is a difficult item to measure, but by any standard Lawton was very successful in 1996!

In December, it was announced that Lawton was among the nation's top 50 metropolitan areas in job growth according to a report from Arizona State University. Among metropolitan areas nationwide, Lawton moved from 185th in 1995 to 12th in 1996 with a 4.20 percent growth. Lawton was ranked 9th among the 250 areas with fewer than 750,000 workers. We must be doing something right, and yes, there's something good going on around here.

In September, voters of Comanche County approved a one cent sales tax paving the way for location of a Bar-S Foods processing facility in Lawton. On September 18, Mr. Tim Day, President and CEO of Bar-S, made the official announcement in Lawton and thanked Comanche County voters for their overwhelming show of support for his company. Groundbreaking of the manufacturing facility is anticipated in the February-to-March time frame. At full production, Bar-S will employ over 350 employees and will be one of the most modern meat processing plants in the world.

In addition to Bar-S, we experienced other important economic development successes during 1996: \*Federal funds were secured for the DFAS facility at Fort Sill. It is anticipated that DFAS will provide more employment opportunities for years to come. \*TCI announced its decision to relocate to Lawton. ITI announced a major expansion. The two telemarketing firms accounted for over 300 additional jobs. \*The new facility for the Environmental Training Center was completed at Fort Sill. Fort Sill expects to train over 15,000 individuals this year. Obviously, this will have a tremendous positive impact on our local economy as the majority of students and visitors will be housed in the Lawton area. \*The new Wichita Mountains Wildlife Visitors Center opened its doors on January 15. This beautiful facility should attract even more visitors to the Lawton area. \*Several successes were enjoyed in the tourism arena. Major softball tournaments were hosted, the only Chataqua Program in Oklahoma was held, the 9th & 10th Cavalry, Buffalo Soldiers, held its annual convention in Lawton, a major Christmas

marketing plan was implemented in conjunction with the highly successful Boulevard of Lights. It has been announced that the Miss Black Oklahoma Pageant will be in Lawton in June 1997; the Mid-America Dance Alliance will have its national conference in Lawton in October 1997; the AMBUCS have selected Lawton as site for its 1998 regional conference.

Your municipal government is doing an excellent job with available resources and continually strives to become more responsive, more efficient. Emphasis throughout the year was on becoming more user friendly. To this end, the Mayor and City Council created a task force to allow citizens an opportunity to provide input and express concerns on City Code requirements, policies, and procedures. The City will continue to consider this a high priority item.

After extensive review and considerable debate, the City Council approved the 1996-97 Budget. To finance the \$56,541,475 budget, Council raised utility rates by 7% and added a \$3 per month surcharge to provide for replacement of capital outlay equipment (rolling stock). Due to financial constraints in the past, the City deferred replacement of equipment for years. This has negatively impacted service delivery, increased downtime and maintenance costs. The concept of pay me now, or pay me later was fully realized. The surcharge now allows the City to address this serious problem and generates revenue to replace worn out equipment in a more timely, cost-effective manner. The first purchases of almost a million dollars from this program were ordered earlier this month.

The 1996-97 Budget formalized the reorganization of the Public Works and Engineering Departments. Experience since July 1, 1996, has shown that the reorganization was a prudent decision. Another minor reorganization placed the Electronics Maintenance Division under the Communications Department. This change has enhanced the coordination and effectiveness of our communications and traffic control activities.

A total of \$645,754 is included in the budget to provide for maintenance of the City's sanitary sewage collection system. This comprehensive maintenance program will begin within the next few months and is part of the City's response to EPA mandates.

Drainage continued to be a hot topic during 1996 and will continue to be into 1997. Following the adoption of a new drainage ordinance, a Stormwater Mitigation Committee was created. This committee worked throughout the year to identify and address flooding problems in the City. The Public Works/Engineering Department, working closely with the committee, prepared a report to identify and prioritize drainage projects within the Wolf Creek Drainage Basin. This report was presented to the Council on January 14 and has generated considerable public interest. Additionally, this committee has done work with Fort Sill on the building of retention dams on Fort Sill to abate stormwater runoff into the major drainage basins of the City. The City will continue to work with the Corps of Engineers to address flooding problems in the City, especially in the Meadowbrook area.

A Community Needs Assessment, completed in 1996, again identified the need for public transportation and transportation for the disabled and elderly as the greatest needs of the community. The Assessment also projects public transportation as the number one unmet need by the year 2000. In response to this need, the City Council, on May 14, 1996, established a Transit Task Force (TTF) to develop a transit system for the Lawton Metropolitan Area. During the year, community surveys were taken and a Transit Feasibility Report was prepared and presented to the task force. The TTF will meet at the end of January to receive the final feasibility report and discuss options and funding alternatives. Recommendations will be sent to the City Transit Trust which will then forward its recommendation to the City Council. If the Plan is adopted and local funding identified, an application for Section 9, Federal Transit Administration funding will be submitted. The prospects look extremely favorable that a public transportation system will be available to meet the needs of our citizens in the near future.

In this brief report, I cannot possibly mention all of the significant events of 1996. Suffice to say - its been a very busy, very productive year. As we journey forward into 1997, we face a number of important issues. Once again, we are faced with preparation and adoption of an annual budget. Unlike the federal government, we must submit a balanced budget. Projected revenues must meet or exceed projected expenditures. We are faced with additional capital improvements, in particular rehabilitation of the sanitary sewer collection system. Substantial funding for these projects must be identified. The challenges are many; the prospects exciting.

I have been asked and have accepted appointment to two state Task Forces during 1997: An ODOT Task Force desiring to secure more funding from the States budget for roads statewide. Naturally, my primary goal will be to secure additional funds for Lawton and Southwest Oklahoma. I will also serve on a Legislative Task Force designed to secure a state military veterans center for the Lawton-Fort Sill area.

Your City is on the move. One of the primary goals of the City staff in 1997 will be to provide to our citizens the best service possible in the most efficient, most cost effective manner. We will continue to become more efficient, more responsive, and more friendly to the public - our customers, our stockholders. As mentioned earlier, key to our success is unity of effort. We must work together for the common good. I encourage all citizens to get involved in your government.

Lawton is a wonderful city. Yes, we have problems - all cities do. However, let us all concentrate on the positive and be a part of the solution. I would like to close with a quote from Teddy Roosevelt: Its not the critic who counts ... Its not the man who points out how the strong man stumbled...Credit belongs to the man who really was in the arena, his face marred by dust, sweat, and blood, who strives valiantly only to come short, and short again, because there is no effort without error and shortcoming. It is the man who actually strives to do the deeds, who knows the great enthusiasm and knows the great devotion, who spends himself on a worthy cause, who, at best, knows in the end the triumph of great achievement. And, who, at worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and cruel souls who know neither victory nor defeat.

Thank you for giving me the privilege to serve as your mayor. It is my distinct honor to represent you. Thank you for your attention.

AUDIENCE PARTICIPATION: None.

#### UNFINISHED BUSINESS ITEMS:

1. Agreement with Bar S was not acted on and will be brought back.

#### BUSINESS ITEMS:

2. Res. 97-13 adopted for condemnation of two structures at 907 SW 4th Street.
3. Presentation given on SSES and WWTP Projects from CH2M Hill.
4. Presentation given on preventative sewer maintenance program; bring back item for Council action.
5. Detention Reservoir Project A-1 and C-1 on Fort Sill: prepare RFP for engineering.
6. (This item was considered first) Res. 97-12 approved for 4-way stop signs at 8th and Garfield and at 8th and McKinley.
7. Lease with Western PCS I Corporation for portion of water tower on Rogers Lane for placement of antennas and telecommunication facilities approved.
8. Council Committee to be formed to review Council Rules of Procedure.

#### CONSENT AGENDA:

9. Damage claims approved: Roosevelt and Joann Steward - Res. 97-14 - \$1,304; Paul and Mary Kucan, by and through their agent, David Nottingham, Homefinders - Res. 97-15 - \$1,523.32; Scott and Song Steuerwald, by and through their agent, Johnny Kinder, Crossroads Realty - Res. 97-16 - \$1,175; Theodore and Mattie M. Simpson, Sr. - Res. 97-97-17 - \$1,010.38; Kyra Sheppard, by and through her attorney, Daniel M. Delluomo - Res. 97-18 - \$2,500; Junior and Jo Nation - \$130; Mike & Teah Corley - \$45.
10. Res. 97-19 Workers' Comp - Harold William Thorne - \$22,345.
11. Agreement with LMAPC re: traffic counts.
12. Ratify LWA action - RFP' on lake concessions: Direct staff and two or three Council members to negotiate with the responsive bidder (Kent Waller on Schoolhouse Slough) and bring back an agreement at the second meeting in February. No mention was made of Fisherman's Cove..
13. Ratify amendment to Trust Indenture of Transit Trust to provide for officers of trust..
14. Ratify Transit Trust action re: naming transit system and route.
15. Deny traffic controls - Pershing Dr./Victory Blvd./NW Cherry; 4200 block NW Lindy; NW Ferris and Sheridan Road; SW 15th & Texas; Garfield & Davenport.
16. Res. 97-20 approving traffic controls - Yield sign on Garfield at Davenport.
17. Approve plans for Lawton View Waterline Project; advertise bids.
18. Approve plans for 1997 Waterline Replacement Project; advertise bids.
19. Acknowledge receipt of permits for water/ser for Brentwood 2.

#### BID ITEMS:

20. Extend Tire Recapping: Kent's Tire Service to 3/32/98 at same terms.
  21. Fixed Asset Bar Coding: ASAP Systems.
  22. Reject hydraulic pump & cylinder repair.
  23. Fire Dept. T-shirts & caps: Sportswear and More.
  24. Reject CAD workstation: Rebid but it was mentioned that this is the third time this has been done and we don't have one yet.
  25. Reject office space lease agreement.
  26. Natural Grass Grazing Lease, Ellsworth E-26: Olen Vaughn.
  27. Natural Grass Baling Sub-Lease, Ellsworth E-9, 11, 13, 15 & 16: Paul Hayes.
  28. Automatic Transmission Repair: PULLED FOR FURTHER REVIEW.
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29. Mayor's Appointments: Human Rights: Barnes, Christensen; Naming Committee: Ellenbrook; Redistricting Commission: Rogers.
  30. Payroll approved.

#### EXECUTIVE SESSIONS:

31. Employment of Ken Harris as Municipal Judge approved.
32. Appraisal/acquisition of real property at SW 6th & Texas: no action.
33. Damage claim - Neasbitt: no action.
34. Claim - Cornish: not considered in executive session; no action.
35. J. M. v. Marley, et al, outside legal counsel for former City employee - agreement with Holloway, Dobson.
36. ODOT & City v. Sutton: Darrell Atkinson appointed as City's representative.
37. City v. Sovell: no action.

#### REPORTS:

Schumpert reported the mayor and staff would meet with Bar S on February 5, regarding the contract. Shanklin complimented the condition of the Animal Shelter. Green made announcements concerning Black History Month.

ADJOURNED AT: 10:40 p.m.